

Anibal Silva  
P.O. Box 20732  
El Cajon, CA 92021

**FILED**

JUN 17 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

**NUNC PRO TUNC**

JUN 12 2008

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

ANIBAL MESALA SILVA,	)	Case No. 08-CV-00932-MH
Petitioner	)	<b>PETITIONER'S MOTION TO STAY</b>
	)	<b>OF PROCEEDINGS</b>
v.	)	
JAMES MEYERS,	)	
Respondent.	)	DATE: N/A
	)	TIME: N/A
	)	
	)	Hon. Marilyn L. Huff

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TO THE HONORABLE JUDGE HUFF, U.S. DISTRICT JUDGE:

COMES NOW Petitioner, Anibal Mesala Silva, and pursuant to Servicemembers Civil Relief Act (SCRA), 50 U.S.C. App. Section 522, moves this court for an initial 90-day stay of proceedings plus a further stay of proceedings of 30 days, showing that his ability to continue with the petition herein is materially affected by his military duties, as follows:

1. Petitioner signed up for active military duty with the U.S. Army in the morning of June 11, 2008 for a period of 3 years and 13 weeks, and was instructed to stay at a hotel waiting to be flown to Military training in the morning of June 12, 2008.
2. Petitioner will be attending Warrior Transition Course, which is an abbreviated version of Basic Training designed for Military Veterans going into the Army, for 4 weeks and AIT training for 7 weeks.
3. Petitioner is not allowed to take any personal items with the exception of one change of clothing, 3 sets of underwear, one pair of comfortable shoes, and basic toilet articles.

*CR*

4. Petitioner is materially affected by his military duty in that he cannot be present for any hearings or cannot prepare and file any pleadings with the court during his Army training until such time, his military training is concluded on approximately September 21, 2008.

WHEREFORE Petitioner prays that this court grant him a stay of proceedings until September 30, 2008.

Respectfully Submitted,



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Anibal Silva, Petitioner pro se  
P.O. Box 20732  
El Cajon, CA 92021

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 11 day of June 2008, the above and foregoing PETITIONER'S MOTION TO STAY OF PROCEEDINGS was served by First Class Mail on the persons listed below as follows:

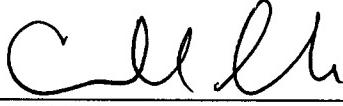
Beth A. Cluckey  
Office of the U.S. Attorney  
880 Front Street, Room 6293  
San Diego, CA 92101

James Kennedy, Chapter 7 Trustee  
P.O. Box 28459  
San Diego, CA 92198

I certify under penalty of perjury that the foregoing is true and correct.

Executed on

6/11/08

  
Anibal Silva  
P.O. Box 20732  
El Cajon, CA 92021